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Attorneys for Petitioner-Plaintiff
 Samih Hussein ZABADI

UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

Samih Hussein ZABADI,

Petitioner,

v.

Michael CHERTOFF, in his Official Capacity,)
 Secretary, Department of Homeland Security,)
 Alberto GONZALES, in his Official Capacity,)
 Attorney General Department of Justice,)
 Nancy ALCANTAR, Field Office Director,)
 San Francisco, CA U.S. Bureau of Immigration)
 and Customs Enforcement, and Toby WONG)
 Correctional Captain, Santa Clara County,)

Respondents.

No. 05-3335 CW

**STIPULATED BRIEFING
 SCHEDULE, HEARING
 DATE, AND ORDER ON
 PETITION FOR
 WRIT OF HABEAS CORPUS**

Petitioner filed a petition for writ of habeas corpus and complaint for declaratory and injunctive relief on August 16, 2005 challenging the legality of his eighteen and one half month detention by the Department of Homeland Security ("DHS"). Petitioner currently remains in DHS custody.

The parties have agreed to expedite briefing in this matter due to Petitioner's confinement, and in lieu of Petitioner filing an application for a temporary restraining order. The parties have agreed, subject to court approval, on a hearing date of September 30, 2005, rather than the date of October 7, 2005, subject to the Court's agreement to hold the hearing on that date.

The parties have agreed to the following briefing schedule, subject to court approval:

Petitioner's Points and Authorities in Support of Petition due: September 2, 2005

Respondents' Return to Habeas Petition due: September 16, 2005

Petitioner's Response to Respondent's Return: September 23, 2005

Hearing on Petition: September 30, 2005 @ 10:00 a.m.

Dated: August 18, 2005

Respectfully submitted,

EDWARD A. OLSEN
Assistant United States Attorney
Attorney for Respondents

Date: August 18, 2005

MARC VAN DER HOUT
Van Der Hout, Brigagliano & Nightingale, LLP
Attorney for Petitioner

Pursuant to stipulation, IT IS SO ORDERED.

Date: 8/22/05 _____

/s/ CLAUDIA WILKEN

Hon. Claudia Wilken
United States District Judge